

# Art of forcing a deal

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## OPINION

Politicians are inclined to portray themselves as dealmakers, especially on the campaign trails. However, what makes someone a dealmaker? Or, should we first ask, what is a deal?

The essential elements of a deal (or a contract) are the following: Offer, acceptance, awareness, consideration, intention to create legal relations, and capacity to contract. These are the elements most commonly cited in legal textbooks. We would, for the most part, discuss the first two as the existence of other elements is usually assumed implicitly in any definition of the word; This is not a court and we are not lawyers trying to weasel out of a deal by claiming that one of the above elements was not fulfilled in a particular contract.

So, quintessentially, there has to be an offer first. Albeit uncommon, that offer may be accepted immediately, which would propel the two or more sides of the deal toward writing a draft and making it legal. More frequently, some or all parts of the offer seem unfair or disadvantageous to the receiving side. At this point, if the intention to make a deal is still there, the receiving side would make a counter-offer of its own, basically starting this process anew until a resolution is reached.

So far, this is all common sense. A dealmaker would then be someone who is more adept than normal at bridging the gap between the sides of the negotiation, more receptive to hearing the other side, and more successful in making preferably win-win deals for all sides involved.

Since something must be lost for something to be gained, a compromise is at the heart of most deals. "Most" deals. But what if you, as a party to a deal, believe that you do not have to compromise at all, not even to reach what would be the second-best deal for you? If you get your wish and force that deal, that would be an appeasement, an internationally infamous concept. Appeasement is what the UK, France, and Italy did for Hitler's Nazi Germany in 1938, and appeasement is what the Colombian president just did for Donald Trump in 2025.

Now, since the appeasement of the Nazis at the 1938 Munich Agreement possibly changed history for what is generally considered to be the worst, crying the words "appeasement" and the "Munich Agreement" has become a bit too overused. We can surely distinguish between a large-scale high-impact appeasement and a small-scale low-impact one. What the US and Colombian presidents did days ago can hardly be imagined to make a comparably negative impact on the world — or, at least, we hope so. What we are arguing here, instead, is that both cases cannot be, in good faith, called "dealmaking". Something is missing.

First, we should recap what happened over the span of a few hours in Trump's first week as the 47th president of the United States in office.

Colombian President Gustavo Petro took a bold stance against the US by turning back two military flights carrying deportees with bound hands. He announced on social media that he would not allow Colombians to be treated this way, directing his criticism at US Secretary of State Marco Rubio. "We are not anyone's colony," Petro said on January 26, calling for the "dignified return of nationals".

The Colombian president's move was initially supported by some regional leaders, such as his Cuban counterpart, Miguel Diaz-Canel. However, Petro's attempts to trade insults with the US president ultimately backfired. The Trump administration responded with severe economic sanctions, including tariffs, travel bans, and visa revocations, forcing Petro to retreat from his position and ac-



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cept migrants — including those arriving on US military aircraft — "without limitation or delay". There are sound-enough arguments for and against what Trump and Petro said and did in that story. They are "sound enough" not because we approve of them, but because they are justified from different perspectives within different theories of international interaction. I would go out on a limb and say that what the Colombian president asked for was morally and politically right and definitely not too much; rather, it probably was not enough, but every president has their reservations and people and interests to look out for. However, since he did, in fact, take those steps, we can

safely say that he, as a president who is surely privy to all of his nation's interests and capabilities, did not take a step too far. In all probability, he simply did not think Trump would refrain from meeting such a small demand that is clearly made to save a fellow president's face who's got the raw end of the deal, and he was right in his initial assessment. Trump has his reasons for overreacting, too. Petro's ask was small, but his words were sharp — he even referred to Trump as a "white slaver" on X. Trump, being the kind of person he generally is, obviously could not let that fly — in fact, I think no one in his position would. What Trump did that no other past US

president in recent history did and what no future US president may do is that he escalated the war of words between allies to a war of severe threats. We say, "Recent history," and we mean it; this is the kind of behavior we expect from those who Petro aptly cited: colonizers. What made colonizers characteristically prone to escalating every war of words to a war of threats and actions? It was almost always an imbalance in perceived power levels, and usually an extreme imbalance at that. Now, granted, being equal in power and dependency levels is something that happens only in textbooks and thought experiments. However, countries, especially allies, have long been



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able to account for a discrepancy in power levels and still make deals better than this. This was not a deal; it was a bad deal and a bad look for Colombia but it still went through because Colombia cannot realistically go toe to toe with the US in making economic threats. This is why we say President Petro appeased Trump to escape his wrath.

What is missing in appeasement is not any of the six elements mentioned at the beginning of this piece; it's the "counter-offer" element, which is quite common but not required if perchance the original offer is accepted. To be sure, when the US's first offer — which wasn't really an offer — got rejected, Washington provided something to smoothen the deal, but it wasn't a carrot, it was a hefty stick. No common ground was reached; the US interests were secured, and Colombia got nothing out of it, not even a trivial win over the dignity of Colombians.

"He went after a state that he knows he could push a little bit," said Inu Manak, a trade policy fellow at the Council on Foreign Relations, to Politico. "So, it's sort of a setting example with a weaker target, and then claim victory really quickly to show how tough he can be as a negotiator. But I wouldn't imagine Canada and Mexico are going to fold that fast."

Manak was right in his early assessment. While Mexico has vowed a direct response to the 25% tariff imposed by the US on Canadian and Mexican imports without providing details, Canadian Prime Minister Justin Trudeau has already launched a counterattack in a growing trade dispute with the US, imposing tariffs on \$106.6 billion worth of American products. The Canadian tariffs, also set at 25%, will affect a wide range of goods. Trudeau stated that he will continue to defend Canadian interests, but acknowledged that the trade war will have negative consequences for people on both sides of the border. "We don't want to be here, we didn't ask for this," he said at a news conference late on Saturday.

One should pay attention that Donald Trump has not exhausted every other option in dealing with the United States' two largest neighbors. How could he in such a short time after being in office? Emboldened by the stunt played at Petro's expense, Trump has moved to take advantage of another discrepancy in power levels, but this time, the discrepancy is not so huge. Trump will soon learn that not every deal can be forced as not every country can and will bow down and back out.



Trump's Press Secretary Karoline Leavitt posted this picture of people in handcuffs being deported to Colombia on January 24, 2025.